

AMENDED IN SENATE MAY 7, 2003

AMENDED IN SENATE APRIL 10, 2003

SENATE BILL

No. 411

Introduced by Senator Ducheny

February 20, 2003

~~An act relating to water, and making an appropriation therefor. An act to add Section 79568.1 to the Water Code, relating to public resources.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 411, as amended, Ducheny. Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002: Quantified Settlement Agreement.

The Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002, an initiative measure approved by the voters at the November 5, 2002, statewide general election, authorizes, for the purposes of financing a safe drinking water, water quality, and water reliability program, the issuance of bonds in the amount of \$3,440,000,000.

~~This bill would appropriate from funds made available by the act \$50,000,000 to the Wildlife Conservation Board for land and water resource protection and restoration projects relating to the Quantification Settlement Agreement~~ *provide that certain bond funds, that are subject to appropriation by the Legislature to the Wildlife Conservation Board for the acquisition, protection, and restoration of water and land resources necessary to meet state obligations related to the state's allocation of water supplies from the Colorado River, would be required to be made available for appropriation to the board for the*

establishment of a long-term stable aquatic habitat for fish and birds using the Salton Sea, the reduction of impacts on the Salton Sea resulting from a certain water transfer, the treatment, desalination, and reuse of a portion of the agricultural wastewater and runoff flowing into the Salton Sea, the maintenance and restoration of the maximum amount of stable shoreline and recreation values associated with the Salton Sea, and the preparation of a certain adaptive management program.

Vote: majority. Appropriation: ~~yes~~ *no*. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1.—The Legislature finds and declares all of the~~
2 ~~following:~~
3 ~~(a) The Salton Sea is a valuable asset to the state and the nation.~~
4 ~~Protection of this national resource is the responsibility of the state~~
5 ~~and the nation.~~
6 ~~(b) It is in the interest of the state to develop and implement a~~
7 ~~restoration plan for the Salton Sea that includes the following~~
8 ~~elements:~~
9 ~~(1) Establishment of a long-term stable aquatic habitat capable~~
10 ~~of supporting the same species and substantially the same level of~~
11 ~~fish and birds that are currently using the Salton Sea. This plan may~~
12 ~~include diking within the Salton Sea to create an area of controlled~~
13 ~~salinity to provide long-term habitat protection.~~
14 ~~(2) Reduction of the impacts on the Salton Sea resulting from~~
15 ~~the transfer of water from the Imperial Irrigation District to the San~~
16 ~~Diego County Water Authority pursuant to the Quantification~~
17 ~~Settlement Agreement.~~
18 ~~(3) Treatment, desalination, and reuse of a portion of the~~
19 ~~agricultural wastewater and runoff flowing to the Salton Sea in~~
20 ~~order to allow a transfer of water to urban users of up to 500,000~~
21 ~~acre-feet per year, with the proceeds from the transfer used to pay~~
22 ~~all or a portion of the capital and operational costs of the project.~~
23 ~~(4) Maintenance and restoration of the maximum amount of~~
24 ~~stable shoreline and of recreational values traditionally associated~~
25 ~~with the Salton Sea.~~
26 ~~SEC. 2.—(a) Of the funds made available pursuant to Section~~
27 ~~79568, the sum of fifty million dollars (\$50,000,000) is hereby~~

~~appropriated to the Wildlife Conservation Board for land and water resource protection and restoration projects, including necessary feasibility planning, for the purposes described in subdivision (b) of Section 1 of this act. Planning studies financed by this section shall be conducted in collaboration with the Department of Water Resources.~~

~~(b) The board may only expend the funds appropriated by subdivision (a) to the extent that the board determines that those expenditures described in subdivision (a) meet the requirements of Section 79568.~~

SECTION 1. Section 79568.1 is added to the Water Code, to read:

79568.1. (a) The funds described in Section 79568 shall be available for appropriation by the Legislature to the Wildlife Conservation Board for all of the following purposes:

(1) Establishment of a long-term stable aquatic habitat capable of supporting the same species and substantially the same level of fish and birds that are currently using the Salton Sea. This plan may include diking within the Salton Sea to create an area of controlled salinity to provide long-term habitat protection.

(2) Reduction of the impacts on the Salton Sea resulting from the transfer of water from the Imperial Irrigation District to the San Diego County Water Authority pursuant to the Quantification Settlement Agreement.

(3) Treatment, desalination, and reuse of a portion of the agricultural wastewater and runoff flowing to the Salton Sea in order to allow a transfer of water to urban users of up to 500,000 acre-feet per year, with the proceeds from the transfer used to pay all or a portion of the capital and operational costs of the project.

(4) Maintenance and restoration of the maximum amount of stable shoreline and of recreational values traditionally associated with the Salton Sea.

(5) The preparation of an adaptive management program that substantially contributes to the long-term conservation of the species, as described in paragraph (3) of subdivision (d) of Section 2081.7 of the Fish and Game Code.

(b) The board, upon the appropriation of the funds described in subdivision (a), may only expend those funds for the purposes

- 1 *set forth in subdivision (a) if the board determines that those*
- 2 *expenditures meet the requirements of Section 79568.*

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